

HAVERSTOCK & OWENS LLP
162 North Wolfe Road
Sunnyvale, CA 94086
(408) 530-9700
Customer No.:

MAIL STOP PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Anticipated Classification of this Application:
Class: _____ Subclass: _____
Prior Application: 09/037,397
Examiner: Boakye, Alexander O.
Art Unit: 2667

TRANSMITTAL OF FILING UNDER 37 C.F.R. § 1.53(b)

Sir:

This is a request for filing a Continuation application under 37 C.F.R. § 1.53(b), of pending prior application Serial No. 09/037,397 filed on March 9, 1998, of Kevin K. Lym *et al.* for **APPARATUS FOR AND METHOD OF PREDICTIVE TIME STAMPING OF ISOCHRONOUS DATA PACKETS TRANSMITTED OVER AN IEEE 1394-1995 SERIAL BUS NETWORK**.

CERTIFICATION UNDER 37 § 1.10

I hereby certify that this new application and the document referred to as enclosed herein are being deposited with the United States Postal Service on this date December 12, 2003 in an envelope bearing "Express Mail Post Office to Addressee" Mailing Label Number EL993345955US addressed to: **MAIL STOP PATENT APPLICATION**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Francis Guerra
(Name of Person Mailing Paper)


Signature

1. Copy of Prior Application as Filed Which is Attached

I hereby verify that the attached papers are a true copy of what is shown in my records to be the above identified prior application, including the oath or declaration originally filed. The copy of the papers of prior application as filed which are attached are as follows: 11 page(s) of specification; 6 page(s) of claims; 1 page(s) of abstract; 6 Sheet(s) of drawings and 2 pages of the combined declaration/power of attorney (unexecuted). The original declaration, combined with power of attorney including a Petition for Correction of Inventorship and Statement of Facts (5 pages) was filed September 11, 1998 in response to the notice to file missing parts. The original Assignment including Form PTO-1595 and Consent of Assignee for Correction of Inventorship (3 pages) was filed September 11, 1998.

2. Amendments

- ☒ Cancel in this application original claims 3, 14, 20-30 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).
- ☒ A preliminary amendment is enclosed, including changes to the specification, claims, remarks, and 6 sheets of formal drawings as substitute sheets for the informal drawings submitted in the patent application.

3. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS FILED			
	Number Filed	Number Extra	Rate
			Basic Fee (37 C.F.R. § 1.16(a))
			770.00
Total Claims (37 C.F.R. § 1.16(c))	57 - 20 =	37	\$18.00
			666.00
Independent Claims (37 C.F.R. § 1.16(b))	10 - 3 =	7	\$86.00
			602.00
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d))			\$290.00
			0.00

Filing Fee Calculation 2,038.00

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Other Fees

X Assignment Recordation Fee 40.00

Total Fee 2,078.00

4. Drawings

6 Sheets of drawings are enclosed.

X Formal.

5. Relate Back-35 U.S.C. § 120

X The specification has been amended by inserting before the first line the sentence:

This is a continuation application of U.S. Patent Application No. 09/037,397, filed March 9, 1998, the contents of which are hereby incorporated by reference.

6. Inventorship Statement

(a) With respect to the prior co-pending U.S. application from which this application claims benefit under 35 U.S.C. § 120 the inventor(s) in this application is (are):

X the same.

(b) The inventorship for all the claims in this application is:

X the same.

7. Fee Payment Being Made At This Time

X Enclosed.

Total Fees Enclosed \$2078.00

8. Method of Payment of Fees

X Enclosed is a check in the amount of \$2,078.00 (\$2,038.00 for the filing fee plus \$40.00 for the Assignment Recordation Fee.)

9. Authorization To Charge Additional Fees

X The Commissioner is hereby authorized to charge any fees or credit any overpayment during the pendency of this application to Account No. 08-1275. An originally executed duplicate of this transmittal is enclosed for this purpose.

10. Power of Attorney

X The power of attorney in the prior application is to: Jonathan O. Owens HAVERSTOCK & OWENS LLP.

a. X The power appears in the original papers as filed on September 11, 1998. A copy is attached.

b. X Address all future communications to:
HAVERSTOCK & OWENS LLP
ATTN: Jonathan O. Owens
162 North Wolfe Road
Sunnyvale CA, 94086

11. Maintenance of Codependency of Prior Application

- X This application is a continuation of co-pending Serial No. 09/037,397 filed on March 9 1998.
12. X Incorporation by Reference
The entire disclosure of the prior application(s), from which a copy of the oath of declaration is supplied under Box 1, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference.

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: December 12, 2003

By: Jonathan O. Owens
Name: Jonathan O. Owens
Registration No.: 37,902